

Attorney Docket No. PRC-001

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION
FOR PATENT DESIGNATING THE U.S. ABANDONED
UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b)**

First Named Inventor	Spiers, William Arthur
International (PCT) Application No.:	PCT/GB04/04134
U.S. Application No.:	10/565,508
International Filing Date:	September 28, 2004
U.S. Filing Date:	March 29, 2006
Title:	Cell Bank for Contingent Autologous Leukocyte Transplantation

Attention: PCT Legal Staff
Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The above-identified applications became abandoned as to the United States because the U.S. basic national fee required by 35 U.S.C. 371(c) was not filed prior to the expiration of the time set in 37 C.F.R. 1.495(b). The date of abandonment is the day after the date on which the 35 U.S.C. 371(c) requirements were due. See 37 C.F.R. 1.495(h).

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

For all international application having an international filing date after June 8, 1995, a grantable petition requires the following items (See 37 C.F.R. 1.137(b),(d)):

- (1) the required petition fee under 37 C.F.R. 1.17(m);
- (2) the proper reply; and
- (3) a statement that the entire delay was unintentional.

1. Petition Fee

Applicant claims small entity status. Therefore, Applicant is required to pay a petition fee of \$750.00 under 37 C.F.R. 1.17(m). Enclosed herewith is a check in the amount of \$900.00, \$750.00 of which covers the petition fee.

2. Proper Reply

A proper reply requires submission of the missing 35 U.S.C. 371(c) requirement, namely the U.S. basic national fee, required under 37 C.F.R. 1.495(b)(2). Applicant claims small entity status. Therefore, Applicant must pay \$150.00 to cover the basic national fee set forth in 37 C.F.R. 1.492(a). Applicant encloses herewith a check in the amount of \$900.00, \$150.00 of which covers the required basic national fee.

3. Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. 1.137(b) was unintentional.

Applicant respectfully requests that this petition be granted and that the above-identified application be reinstated. Applicant believes all necessary fees required for granting this petition are covered by the enclosed check. However, if any additional fee(s) are due, please charge them to Attorney's Deposit Account No. 50-1721.

10/03/2006 KAYPAGH 00000051 10565508

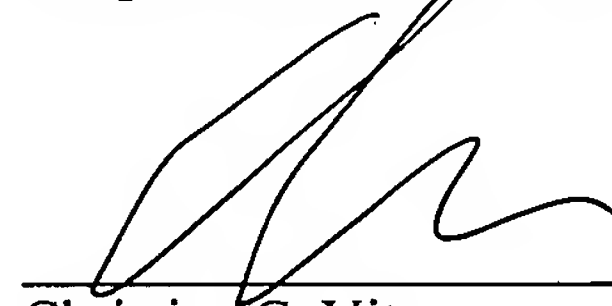
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750.00 OP

Date: September 27, 2006
Reg. No. 39,061

Tel. No.: (617) 261-3150
Fax No.: (617) 261-3175

Respectfully submitted,



Christine C. Vito
Attorney for the Applicant
Kirkpatrick & Lockhart Nicholson
Graham LLP
State Street Financial Center
One Lincoln Street
Boston, Massachusetts 02111-2950

TRANSMITTAL
FORM

U.S. Application Serial Number	10/565,508
U.S. Filing Date	March 29, 2006
First Named Inventor	Spiers, William Arthur
International (PCT) Application Number	PCT/GB04/04134
International Filing Date	September 28, 2004
Attorney Docket No.	PRC-001

ENCLOSURES (check all that apply)

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form (1 page) <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Check attached in the amount of \$900.00 <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment/Response <ul style="list-style-type: none"> <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement <ul style="list-style-type: none"> <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <ul style="list-style-type: none"> <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above | <input type="checkbox"/> Copy of Notice to File Missing Parts of Application <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <ul style="list-style-type: none"> <input type="checkbox"/> Certificate of Correction (in duplicate) | <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) <p>Petition for Revival of An International Application For Patent Designating the U.S. Abandoned Unintentionally Under 37 C.F.R. 1.137(b) (2 pages)</p> |
|---|---|--|

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Legal Staff
International Division

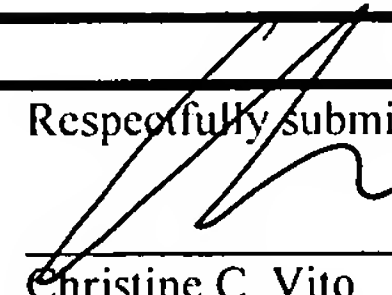
CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator
Kirkpatrick & Lockhart Nicholson
Graham LLP
State Street Financial Center
One Lincoln Street
Boston, MA 02111-2950
Tel. No.: (617) 261-3100
Fax No.: (617) 261-3175

SIGNATURE BLOCK

Date: September 27, 2006
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Fax No.: (617) 261-3175

Respectfully submitted,


Christine C. Vito
Attorney for Applicant
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FEE TRANSMITTAL

FY 2006

Complete if Known

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U.S. Filing Date	March 29, 2006
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METHOD OF PAYMENT

1. ☒ Payment Enclosed:
☒ Check ☐ Money Order ☐ Other

2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 50-1721.

- ☐ Required Fees (copy of this sheet enclosed).
☒ Additional fee required under 37 CFR 1.16 and 1.17.

- ☒ Overpayment Credit.

3. ☒ Applicant claims small entity status.

FEE CALCULATION

1. FILING/SEARCH/EXAM/SIZE FEES

Large Entity

Fee (\$)	Fee Description	Fee Paid
300	Utility filing fee	
500	Utility search fee	
200	Utility exam fee	
250	Utility size fee (each add'l 50 pgs. over 100)	
200	Design filing fee	
100	Design search fee	
130	Design exam fee	
250	Design size fee (each add'l 50 pgs. over 100)	

	Number Filed	Number Extra	Rate	Amount
Total Claims	- 20 =		x \$ 50.00 =	
Independent Claims	- 3 =		x \$200.00 =	

☐ Multiple Dependent Claim(s), if any \$360.00 =
TOTAL:

SMALL ENTITY DISCOUNT:

SUBTOTAL (1) (\$) 0.00

2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
Total	-	=	x \$ 50.00 =	
Indep.	-	=	x \$200.00 =	
<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$360.00 =	

TOTAL: (\$)

SMALL ENTITY DISCOUNT: (\$)

SUBTOTAL (2) (\$) 0.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	Request for ex parte reexamination	
120	60	Extension for reply within first month	
450	225	Extension for reply within second month	
1020	510	Extension for reply within third month	
1590	795	Extension for reply within fourth month	
2160	1080	Extension for reply within fifth month	
500	250	Notice of Appeal	
500	250	Filing a brief in support of an appeal	
1000	500	Request for oral hearing	
400	400	Petitions to the Commissioner (Gp. I)	
200	200	Petitions to the Commissioner (Gp. II)	
130	130	Petitions to the Commissioner (Gp. III)	
180	180	Submission of Information Disclosure Statement	
790	395	Filing a submission after final rejection (37 CFR 1.129(a))	
790	395	For each additional invention to be examined (37 CFR 1.129(b))	
100	100	Certificate of Correction for applicant's error	
130	65	Submission of Terminal Disclaimer	
1500	750	Petition Fee (37 CFR 1.17(m))	750.00
300	150	Basic National Fee (37 CFR 1.492(a))	150.00

SUBTOTAL (3) (\$) 900.00

SUBTOTAL (1) 0.00

SUBTOTAL (2) 0.00

SUBTOTAL (3) 900.00

TOTAL (\$) 900.00

CORRESPONDENCE ADDRESS

10/03/2006 KKAYPAGH 00000051 10565508
02 FC: 2631 150.00 OP

SIGNATURE BLOCK

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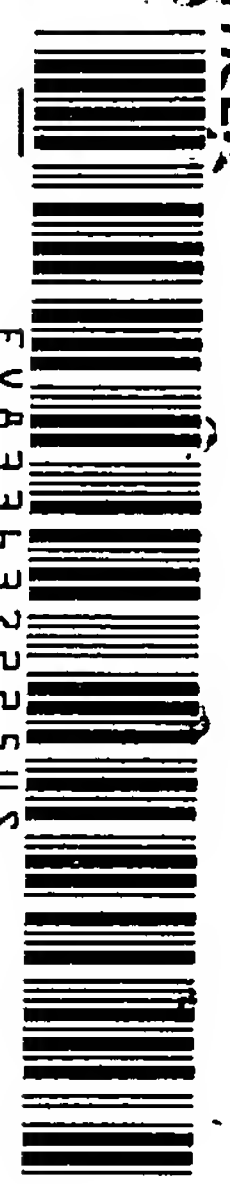
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